

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICKY GRAHAM, SULEANER SIPP, and)
JERMAINE SIPP,)
)
Plaintiffs,)
)
v.)
)
JOHN P. DOLAN, CRAIG A. DUNDERDALE,)
KEITH E. KARCZEWSKI, VERNON) Judge Ronald A. Guzman
MITCHELL, JR., SCOTT M. WOLFF,)
MATTHEW P. CLINE, DANIEL J. DE LOPEZ,) Magistrate Judge Martin C. Ashman
EDDIE M. YOSHIMURA, UNKNOWN)
NUMBER OF UNNAMED OFFICERS OF THE)
CHICAGO POLICE DEPARTMENT, and)
CITY OF CHICAGO,)
)
Defendants.)
)
)

PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiffs, RICKY GRAHAM, SULEANER SIPP, and JERMAINE SIPP, by and through their attorney, Irene K. Dymkar, and pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, hereby move this Court to enter an order granting leave to file an amended complaint. In support of their motion, plaintiffs state:

- 1) This action was commenced by the filing of a complaint alleging a cause of action under the Civil Rights Act of 1871 (42 U.S.C. §1983), to redress deprivations of the civil rights of plaintiffs through acts and/or omissions of defendants committed under color of law.
- 2) At the time of the drafting of the original complaint, plaintiffs did not know the names of all the officers who engaged in unconstitutional conduct against them. Names were

gleaned from court records, but some officers were referred to only as UNKNOWN
NUMBER OF UNNAMED OFFICERS OF THE CHICAGO POLICE DEPARTMENT.

3) After taking depositions of key defendants on July 18, 2008, plaintiffs learned the name of an additional officer who actively participated in the unconstitutional conduct against them. This additional person is Joseph F. Gorman.

4) Also, a family member, Anthony Sipp, was initially reluctant to join in this action because he was fearful of retaliation by defendant police officers, but now wishes to do so. Defendants were aware of Mr. Sipp's presence at the home at the time of the police raid, in that they arrested him at that time.

5) Plaintiffs therefore wish to amend their complaint to add the causes of action for an additional plaintiff and against an additional defendant. A copy of the proposed second amended complaint is attached hereto as Exhibit A.

6) There is no prejudice to the current defendants, who have not yet taken any plaintiff depositions. Plaintiffs intend on complying with all discovery deadlines in this case. The discovery cut-off date is September 18, 2008.

7) Rule 15(a) states that leave to amend a complaint shall be freely given when justice so requires.

WHEREFORE, plaintiffs request that the Court grant them leave to file the amended complaint attached hereto as Exhibit A.

Dated: July 21, 2008

/s Irene K. Dymkar

Irene K. Dymkar

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